

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

BRANDO CARL ROOKHUIZEN,
Appellant.

No. 2 CA-CR 2012-0314
Filed November 29, 2013

THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.

NOT FOR PUBLICATION

See Ariz. R. Sup. Ct. 111(c); Ariz. R. Crim. P. 31.24

Appeal from the Superior Court in Pima County
No. CR20112343001
The Honorable Teresa Godoy, Judge Pro Tempore

AFFIRMED

COUNSEL

Lori J. Lefferts, Pima County Public Defender
By Frank P. Leto, Assistant Public Defender, Tucson
Counsel for Appellant

STATE v. ROOKHUISEN
Decision of the Court

MEMORANDUM DECISION

Chief Judge Howard authored the decision of the Court, in which Presiding Judge Vásquez and Judge Miller concurred.

H O W A R D, Chief Judge:

¶1 Brandon Rookhuizen was convicted after a jury trial of possession of drug paraphernalia. The trial court suspended the imposition of sentence and placed Rookhuizen on an eighteen-month term of probation. Counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), and *State v. Clark*, 196 Ariz. 530, 2 P.3d 89 (App. 1999), asserting he has reviewed the record but found no arguable issue to raise on appeal. Consistent with *Clark*, 196 Ariz. 530, ¶ 32, 2 P.3d at 97, he has provided “a detailed factual and procedural history of the case with citations to the record” and asks this court to search the record for error. Rookhuizen has not filed a supplemental brief.

¶2 Viewing the evidence in the light most favorable to sustaining the verdict, *see State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999), we find sufficient evidence to support the jury’s finding. Rookhuizen admitted to a police officer that a spoon, syringe, and tourniquet—items used to inject heroin—found with him in a car belonged to him and that he had been attempting to use heroin in the car. *See* A.R.S. § 13-3415(A), (F). And we find no error in the trial court’s decision to suspend the imposition of sentence and place Rookhuizen on probation. *See* A.R.S. §§ 13-901.01(A); 13-902(A)(4); 13-3415(A).

¶3 Pursuant to our obligation under *Anders*, we have searched the record for fundamental, reversible error and found none. *See State v. Fuller*, 143 Ariz. 571, 575, 694 P.2d 1185, 1189 (1985) (*Anders* requires court to search record for fundamental error). Rookhuizen’s conviction and disposition are affirmed.